IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 23012 of 2007(M)

PETITIONER: PETITONER-CLAIMANT PETITIONER

TENNY JOSE, S/O.CHIRAMMAL JOSE,
CHEMBUKAVU VILLAGE AND DESOM, THRISSUR TALUK.

BY ADV. SRI.K.RAMACHANDRAN

RESPONDENTS:

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1. RAPAI @ RAPHEL,
S/O.LATE VADAKKAN DEVASSY,
THRISSUR VILLAGE, CHIRAKKAL DESOM, THRISSUR TALUK.

2. ANTONY, S/O.VADAKKAN DEVASSY, DO.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J.

WP(C)No. 23012 OF 2007 M

Dated this the 27th July, 2007.

JUDGMENT

This writ petition is preferred against the order of the Subordinate Judge, Thrissur in disallowing the prayer of the writ petitioner to examine the Amin. The writ petitioner has filed a claim application and in that petition he wants to examine the Amin to prove that it was he who obstructed the delivery of the property and not the second respondent as reported by the Amin. It will have bearing in the decision of the case and therefore permission is to be granted to examine the Amin by the claimant in the case for the purpose of his case. Therefore the order under challenge is set aside and the court below is directed to permit the writ petitioner to examine the Amin as a witness. Writ petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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